

[25 August, 2000]

RAJYA SABHA

THE MINISTER OF STATE IN THE DEPARTMENT OF PERSONNEL AND TRAINING AND DEPARTMENT OF PENSION AND PENSIONERS' WELFARE OF THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI VASUNDHARA RAJE): Promotion policy of the Central government is based on the principle that more competent amongst the employees may get faster promotion. At present, Departmental Promotion Committees enjoy full discretion to devise their own methods and procedure for objective assessment of the suitability of candidates who are to be considered by them. Conditions about eligibility service etc. are normally contained in the relevant Recruitment Rules/general instructions issued from time to time.

An instrumentality of the Government can make rules in accordance with, the provisions of the statute or charter of its constitution, pursuant to which it was created/set up. The concerned instrumentality can also adopt the rules of the Central Government wholly or with suitable amendments as may be permissible within the legal framework governing such instrumentality. However, the rules framed by the Central Government, in any case, do not extend automatically to instrumentalities.

**Rules to deploy Government Employees on overtime duty**

3369. SHRI RAJNATH SINGH 'SURYA': Will the PRIME MINISTER be pleased to state:

(a) the details of rules/regulations governing deployment of non-gazetted staff/members on overtime duty in Government/autonomous bodies;

(b) whether employees can be forced to perform overtime duty even when they are not entitled to overtime allowance or are not willing to perform overtime duty;

(c) whether compelling a staff as a normal practice to perform overtime duty in sections other than they are posted in, is as per service rules;

(d) whether refusal to perform such duties amount to indiscipline; and

(e) if not, remedies available to staff for redressal of their grievances?

THE MINISTER OF STATE IN THE DEPARTMENT OF PERSONNEL AND TRAINING AND DEPARTMENT OF PENSION AND PENSIONERS' WELFARE OF THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI VASUNDHARA RAJE): (a) to (e) As per the

instructions regarding Overtime Allowance to Central Govt, employees, contained in Ministry of Finance OM No. 15011/2/E. II(B)/76 dated 11.8.76, the work in all offices has to be so organised as ordinarily to be capable of being done during the normal office hours. The question of overtime work to be done shall arise only in special circumstances and where working beyond the prescribed office hours is a regular feature, the offices and the officers should so stagger the working hours that the staff working in the office or attached to officers attend to such work by rotation. Where, in special circumstances, it becomes necessary to perform overtime work, the competent authority may authorise such overtime work, after satisfying himself that the work is of such an urgent nature that it cannot be postponed in the public interest till the next working day and the competent authority shall, as far as possible, specify before hand the time upto which a Government servant may be required to perform overtime work. Further, as part of the economy instructions on OTA issued by Ministry of Finance vide OM F.No. 21011/32/89-E. 11(B) dated 18.4.91, Ministries/Departments have also been advised to utilize the services of the staff to the optimum level during office hours and to reduce the need for putting staff on overtime work. However, as per the provisions of FR 11, the whole pays of a Govt, servant is at the disposal of the Govt, which pays him and he can be employed in any manner required by proper authority without claim for additional remuneration. Refusal to perform any duties assigned by proper authority will render a Govt, servant liable for disciplinary action.

**Pay Anomaly of Central Secretariat Service Employees**

3370. SHRI KARNENDU BHATTACHARJEE: Will the the PRIME MINISTER be pleased to refer to answer to Starred Question 163 given in Rajya Sabha on 9th December, 1999 and state:

(a) whether the Cabinet had decided to consider the pay anomaly of Central Secretariat Service Employees in July, 1997;

(b) whether the issue of pay anomaly of Central Secretariat Service Employees is pending before a group of Ministers alongwith the pay anomaly of other specified services for quite some time;

(c) the reasons for delay in resolving the issue; and

(d) the time by which the group of Ministers will resolve the said pay anomaly?